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**IN THE UNITED STATES BANKRUPTCY COURT
 FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED
 7/13/23 10:18 am
 CLERK
 U.S. BANKRUPTCY
 COURT - WDPA

In re:	:	Case No.:	23-20621-GLT
	:	Chapter:	13
Michael P. Kennedy	:		
Lynn M. Kennedy	:		
	:	Date:	7/12/2023
<i>Debtor(s).</i>	:	Time:	10:00

PROCEEDING MEMO

MATTER: #42 Debtors' Objection to Claim of Megan Harmon (Claim No. 20)
 #49 Objection by Megan Harmon

APPEARANCES:

Debtor:	Scott Lowden
Megan Harmon :	Michael Balzarini
Trustee:	Owen Katz

NOTES: [10:00]

Balzarini: Incident underlying the claim is alleged assault and battery, occurred in summer 2021.

Lowden: No dispute of liability. Only the amount of the claim is in dispute.

Balzarini: As of time the stay was entered, liability was contested. There were criminal charges and a resolution against the defendant.

Court: If parties agree to go without jury, would be willing to do it here to have everything done on a more efficient timeline.

Balzarini: There have not been any settlement discussions. Never went to mediation because of the stay.

Lowden: No objection to limited relief to allow mediation to proceed in state court.

Balzarini: Mediation could occur probably in September, based on experience.

Court: Expect the parties to discuss global resolution at mediation. Not just the claim, but the adversary too.

Katz: Wants to clarify that the plan confirmed at 100% means the entire claim will need to be satisfied, even if it is above the \$20,000.

OUTCOME:

1) For the reasons stated on the record, the Court shall grant limited stay relief for the sole purpose of allowing mediation in state court to occur. If mediation in state court is unable to occur before September 12, 2023, the parties shall submit a status report under certification of counsel by July 31, 2023, notifying the Court that it may schedule its own mediation within the bankruptcy proceeding. Alternatively, if mediation in state court is able to occur before September 12, 2023, the parties shall submit a status report under certification of counsel by September 29, 2023, indicating whether the mediation was successful, and if not, detailing how the parties agree to proceed (in state court, with an evidentiary hearing in bankruptcy court, or consent to jury trial in bankruptcy court). A status conference on the matter shall be set for October 4, 2023 at 11 a.m. [Chambers to prepare].

DATED: 7/12/2023